

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

U.S. BANK, N.A.,

Plaintiff,

VS.

9008 MEDICINE WHEEL TRUST,

Defendant.

Case No.: 2:18-cv-00092-GMN-NJK

ORDER

On August 18, 2018, the Court granted Defendant 9008 Medicine Wheel Trust's ("Defendant's") Motion to Dismiss Plaintiff's Complaint. (*See* Order, ECF No. 24). The Court dismissed with prejudice Plaintiff's quiet title and declaratory relief claims and dismissed with leave to amend Plaintiff's unjust enrichment claim. (*Id.* 7:14–15).

The Court permitted Plaintiff to file an amended complaint as to the unjust enrichment claim in the above-captioned case within twenty-one (21) days of the Order’s issuance. (*Id.* 7:18–22). The Court stated that “[f]ailure to file a second amended complaint by this date shall result in the dismissal of Plaintiff’s claims dismissed herein with prejudice.” (*Id.*). To date, Plaintiff has failed to file an amended complaint and the deadline to do so has passed.

Accordingly,

IT IS HEREBY ORDERED that the above-captioned action is dismissed with prejudice.

The Clerk of the Court shall enter judgment accordingly.

DATED this 22 day of October, 2018.

Gloria M. Navarro, Chief Judge
United States District Court